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Attorney for Plaintiff  
West Coast Mobile Home Parks, Inc.

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 WEST COAST MOBILE HOME PARKS,  
12 INC., a California corporation,

13 Plaintiff,  
14 vs.

15 SCOTTSDALE INSURANCE COMPANY,  
16 INC., and DOES I-V, inclusive, and ROE  
Companies/ Corporations, VI-X, inclusive,

17 Defendants.

CASE NO.: 2:16-cv-02183-RFB-CWH

**STIPULATION TO DISMISS  
PLAINTIFF'S THIRD CAUSE OF  
ACTION FOR BAD FAITH WITHOUT  
PREJUDICE; AND [PROPOSED] ORDER**

19 Plaintiff West Coast Mobile Home Parks, Inc. ("Plaintiff") and Defendant Scottsdale  
20 Insurance Company ("Scottsdale") hereby submit the following stipulation to dismiss Plaintiff's  
21 third cause of action for bad faith without prejudice.

22 1. Plaintiff's operative complaint on file in this action pleads a total of four causes of  
23 action against Scottsdale: (1) Breach of Insurance Contract – Duty to Defend; (2) Breach of  
24 Insurance Contract – Failure to Indemnify; (3) Breach of Duty of Good Faith and Fair Dealing;  
25 and (4) Declaratory Relief.

26 2. Plaintiff wishes to dismiss without prejudice the third cause of action in its  
27 complaint against Scottsdale for breach of the duty of good faith and fair dealing. Scottsdale  
28 agrees to the dismissal of that claim.

1           3. Therefore, the parties stipulate and agree that Plaintiff's third cause of action in its  
2 complaint against Scottsdale for breach of the duty of good faith and fair dealing shall be  
3 dismissed without prejudice, and request an Order from the Court affirming such dismissal.

4           4. Each party shall bear its own costs with respect to the dismissal of Plaintiff's third  
5 cause of action.

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8           IT IS SO ORDERED:

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11             
RICHARD F. BOULWARE, II  
United States District Judge

12           DATED: June 1, 2017.

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15           Dated: May 26, 2017

16           **STEVEN MARZULLO, LTD.**

17           By: /s/ Steven Marzullo  
18           Steven Marzullo, Esq.  
19           Attorney for Plaintiff WEST COAST  
20           MOBILE HOME PARKS, INC.

21           Dated: May 26, 2017

22           **HINES HAMPTON LLP**

23           By: /s/ Christine Emanuelson  
24           Whitney C. Wilcher  
25           Christine Emanuelson  
26           Attorneys for Defendant SCOTTSDALE  
27           INSURANCE COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that on May 26, 2017, I electronically filed the foregoing document or paper with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List below.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 26, 2017.



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Ayvette Hernandez

**Electronic Notice List**

Steven Marzullo  
steven@stevenmarzullo.com